

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 JUSTIN A. KURPIEL,

4 Plaintiff

Case No. 2:24-cv-00203-RFB-BNW

ORDER

5 v.

6 DR. AVRAM AND DOE DIRECTOR OF
7 NURSING,

8 Defendants

9 **I. DISCUSSION**

10 On March 30, 2025, the Court filed a screening order and ordered Plaintiff to file a
11 second amended complaint curing the deficiencies of the first amended complaint. (ECF
12 No. 17 at 7–8.) If he chooses not to file a second amended complaint by **June 12, 2025**,
13 the Court will dismiss this action without prejudice for failure to state a claim.

14 However, according to the Nevada Department of Corrections (“NDOC”) inmate
15 database, Plaintiff is no longer incarcerated. And he has not filed an updated address
16 with this Court. The Court notes that pursuant to Nevada Local Rule of Practice IA 3-1,
17 a “pro se party must immediately file with the court written notification of any change of
18 mailing address, email address, telephone number, or facsimile number. The notification
19 must include proof of service on each opposing party or the party’s attorney. Failure to
20 comply with this rule may result in the dismissal of the action, entry of default judgment,
21 or other sanctions as deemed appropriate by the court.” Nev. Loc. R. IA 3-1. This Court
22 grants Plaintiff until **June 12, 2025**, to file his updated address with this Court. If Plaintiff
23 does not update the Court with his current address by **June 12, 2025**, this case will be
24 subject to dismissal without prejudice.

25 Additionally, because Plaintiff is no longer incarcerated, the Court now directs him
26 to file an application to proceed *in forma pauperis* by a non-prisoner by **June 12, 2025**,
27 pay the full filing fee of \$405.

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II. CONCLUSION

For the foregoing reasons, it is ordered that Plaintiff will file an updated address with the Clerk of the Court by **June 12, 2025**.

It is further ordered that the Clerk of the Court will send Plaintiff the approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

It is further ordered that by **June 12, 2025**, Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners; or (2) pay the full filing fee of \$405.

It is further ordered that Plaintiff will file the second amended complaint by **June 12, 2025.**

It is further ordered that, if Plaintiff fails to timely comply with this order, this case will be subject to dismissal without prejudice.

DATED THIS 14th day of May 2025.

Charles W. Eberle
UNITED STATES MAGISTRATE JUDGE